

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA**

**ADMINISTRATIVE PROCEDURES GOVERNING
THE FILING AND SERVICE BY ELECTRONIC MEANS**

I. THE ELECTRONIC FILING SYSTEM.

- A. IN GENERAL.** Unless otherwise permitted by these administrative procedures or unless otherwise authorized by the assigned judge, all documents submitted for filing in this district after **January 1, 2006**, no matter when a case was originally filed, shall be filed electronically using the Electronic Filing System (“System”).
1. Parties proceeding pro se shall not file electronically.
 2. The filing of Social Security cases shall be subject to the limitations imposed in III(C) of these procedures.
 3. Juvenile criminal matters shall not be filed electronically unless, after hearing, the Court rules that the juvenile shall be tried as an adult.
 4. A case or document filed under seal will be maintained in paper form unless and until the assigned judge orders the case or document unsealed.
 5. For good cause shown, an attorney may apply to the assigned judge for permission to file documents conventionally. Such permission, if granted, will be granted only with respect to a particular case. Even if the assigned judge initially grants an attorney permission to file documents conventionally, however, the assigned judge may withdraw that permission at any time during the pendency of a case and require the attorney to file documents electronically using the System.
 6. The Clerk’s Office or any judge of this Court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the Court. The Court may also amend these procedures at any time without prior notice.
 7. Rule 6 of the Federal Rules of Civil Procedure shall govern the computation of time under these procedures.

B. PASSWORDS. Each attorney who is admitted to practice in the Western District of North Carolina and in good standing shall be entitled to one System log-in name and password from the District Court. The log-in name and password permit the attorney to participate in the electronic retrieval and filing of pleadings and other documents.

1. No attorney shall knowingly permit or cause to permit his or her log-in name and password to be utilized by anyone other than an authorized employee of his or her office.
2. Once registered, the attorney shall be responsible for all documents filed with his or her log-in name and password.
3. Registration for a log-in name and password is governed by I(C) of these procedures.
4. An attorney admitted pro hac vice must register for a log-in name and password in accordance with these administrative procedures.

C. ATTORNEY REGISTRATION.

1. Each attorney filing electronically must complete and submit an Online Attorney Registration Form. The form is available on the Court's web site at www.ncwd.uscourts.gov/ecf.
2. After the attorney electronically submits the Online Attorney Registration Form to the Clerk's Office, an Internet e-mail message will be sent to the attorney with instructions on how to complete the registration process.
3. The Clerk's Office will verify the registration within two business days. After the Clerk's Office has verified the registration, the Clerk's Office will send the attorney an Internet e-mail message with the attorney's log-in name and password. The attorney should log in to the System and change his or her password immediately on receipt of his or her log-in name and password.
4. Once registered, an attorney may withdraw from participating in the System by providing the Clerk's Office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to United States District Court for the Western District of North Carolina, 401 West Trade Street, Suite 210, Charlotte, North Carolina 28202. Upon receipt, the Clerk's Office will

immediately cancel the attorney's password and delete the attorney's name from any applicable electronic service list. An attorney's withdrawal from participation in the System shall not be construed as authorization to file cases or documents conventionally.

5. After registering, attorneys may change their passwords at any time. If an attorney comes to believe that the security of an existing password has been compromised and that a threat to the System exists, the attorney must immediately change his or her password and contact the Clerk's Office by telephone.
6. An attorney whose e-mail address, mailing address, telephone or fax number has changed from that of the original Online Attorney Registration Form shall (i) edit his or her information in the System, and (ii) timely file a notice of such change and serve a copy of the notice on all other parties.

D. PRO SE AND THIRD PARTY REGISTRATION.

1. Parties Proceeding Pro Se.
 - a. Although parties proceeding pro se shall not file electronically, parties proceeding pro se may register – solely for the purpose of the action – to receive notice via e-mail whenever a pleading or other paper is filed electronically in accordance with these procedures.
 - b. Each registering party proceeding pro se shall complete an Online Pro Se Party Registration Form. The form is available on the Court's web site at www.ncwd.uscourts.gov/ecf.
 - c. After the registering pro se party electronically submits the Online Pro Se Party Registration Form to the Clerk's Office, an Internet e-mail message will be sent to the registering pro se party with instructions on how to complete the registration process.
 - d. The Clerk's Office will verify the registration within two business days. Once the Clerk's Office has verified the registration, the Clerk's Office will send the registering pro se party an Internet e-mail message with his or her log-in name and password. The registering pro se party should log in to the System and change his or her password immediately on receipt of his or her log-in name and

password.

- e. Once registered, a party proceeding pro se may withdraw from receiving notice via e-mail by providing the Clerk's Office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to United States District Court for the Western District of North Carolina, 401 West Trade Street, Suite 210, Charlotte, North Carolina 28202. Upon receipt, the Clerk's Office will immediately delete the party's name from any applicable electronic service list.
- f. A pro se party whose e-mail address, mailing address, telephone or fax number has changed from that of the original Online Pro Se Party Registration Form shall (i) edit his or her information in the System, and (ii) timely file a notice of a change of address and serve a copy of the notice on all other parties.
- g. If during the course of the action, the pro se party retains an attorney who appears on the pro se party's behalf, the attorney must advise the Clerk's Office to terminate the pro se party's registration upon the attorney's appearance.

2. Third Party Users.

- a. Third party users, *e.g.*, the U.S. Marshal's Service and the Bureau of Prisons, may register for read-only access to the System and, on a case-by-case basis, for filing access.
- b. Each third party user shall complete an Online Third Party Registration Form. The form is available on the Court's web site at www.ncwd.uscourts.gov/ecf.
- c. After the third party user electronically submits the Online Third Party Registration Form to the Clerk's Office, an Internet e-mail message will be sent to the third party user with instructions on how to complete the registration process.
- d. The Clerk's Office will verify the registration within two business days. Once the Clerk's Office has verified the registration, the Clerk's Office will send the third party user an Internet e-mail message with the attorney's log-in name and password. The third

party user should log in to the System and change his or her password immediately on receipt of his or her log-in name and password.

- e. A third party whose e-mail address, mailing address, telephone or fax number has changed from that of the original Third Party Registration Form shall (i) edit his or her information in the System, and (ii) timely file a notice of a change of address and serve a copy of the notice on all other parties.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS.

A. FILING.

- 1. All motions, pleadings, applications, briefs, memoranda of law, or other documents in a case shall be electronically filed on the System except as otherwise provided by these administrative procedures.
 - a. A document shall not be considered filed for purposes of the Federal Rules of Civil Procedure until the filing party receives a System-generated “Notice of Electronic Filing” described in II(B)1 of these procedures. E-mailing a document to the Clerk’s Office or to the assigned judge shall not constitute “filing” of the document.
- 2. Complaints in a Civil Case.
 - a. The Clerk’s Office will accept complaints and civil cover sheets sent by e-mail, sent by United States mail, or delivered in person to the Clerk’s Office.
 - i. If using e-mail, the filing party must submit the complaint and cover sheet via “CyberClerk.” “CyberClerk” is a menu option, accessible only after log-in to the System, on the Court’s website at www.nwd.uscourts.gov/ecf. The complaint and cover sheet must be in .pdf format (“Portable Document Format”). Upon receipt of the e-mail, the Clerk’s Office will contact the filing party to arrange payment of all appropriate filing fees. **New cases will not be filed until the filing fee has been paid.** The Clerk’s Office will open the case only after (i) the complaint and cover sheet have been received and

(ii) the filing fee has been paid. At that time, a Notice of Electronic Filing will be sent to the filing party.

- ii. If using United States mail or personal delivery to the Clerk's Office, the filing party may submit the complaint and cover sheet either on a compact disk in .pdf format or in paper form. In all cases where the complaint and cover sheet are sent by United States mail or personally delivered to the Clerk's Office, the filing fee must accompany a complaint.

If the complaint and cover sheet are submitted on a compact disk in .pdf format, the Clerk's Office will upload the complaint and cover sheet to the System, and then either discard the compact disk or return it to the filing party.

If the complaint and cover sheet are submitted in paper form, the Clerk's Office will scan the complaint and cover sheet, upload them to the System, and retain the paper documents.

- b. New cases are deemed filed the day the Clerk's Office receives the complaint and any required filing fee. If the Clerk's Office receives the complaint on one day and any required filing fee on another day, the case will be deemed filed on the later of those dates.
- c. Only new complaints, civil cover sheets, and summons forms may be sent using "CyberClerk." If an attorney sends other pleadings via "CyberClerk" or to any email address associated with the Clerk's Office, the Clerk's Office will call the attorney and explain that the pleading must be electronically filed in the System.
- d. A party may not electronically serve a complaint, but instead must effect service according to Federal Rule of Civil Procedure 4.

3. Summonses in a Civil Case.

- a. The Clerk's Office will receive summonses to be issued sent by e-mail, sent by United States mail, or delivered in person to the Clerk's Office.
- b. If using e-mail, the party must submit the request summons via

“CyberClerk.”

- c. The party requesting the summons must complete the top portion of the summons form and, if sending the summons by United States mail, also submit a stamped, self-addressed return envelope. Once a summons has been issued, the Clerk’s Office will scan it, upload it to the System, and then return the summons to the attorney or party.
- d. A party may not electronically serve a summons, but instead must perfect service according to the Federal Rule of Civil Procedure 4.

4. Notices of Removal in a Civil Case. Notices of removal shall be filed in accordance with the procedures in II(A)2.

5. Charging Documents in a Criminal Case.

- a. All charging documents, *e.g.*, the complaint, information and/or indictment, shall be filed conventionally, *i.e.*, in paper form.
 - i. If a criminal complaint is filed, the Clerk’s Office will scan the criminal complaint, upload it to the System, and retain the paper document.
 - ii. If an indictment is filed, the Clerk’s Office will redact the name of the grand jury foreperson, scan the indictment, upload it to the System, and retain the paper document.
 - iii. If any other charging document is filed, the Clerk’s Office will scan the charging document, upload it to the System, and retain the paper document.

6. Plea-Related Documents in a Criminal Case. All plea agreements shall be filed conventionally, *i.e.*, in paper form. The Clerk’s Office will scan the paper document, upload it to the System, and retain the paper document.

7. Filing a document electronically does not alter the filing deadline for that document. A document will be deemed timely filed on a particular day if filed prior to midnight Eastern Time. If the time of day is of the essence, however, the judge will order that document filed by a time certain.

8. If filing a document requires leave of the Court, such as an amended complaint, the attorney shall attach the proposed document as an exhibit to the motion according to the procedures in IV(B). If the Court grants the motion, the order will direct the attorney to file the document electronically with the Court.
9. Attachments and exhibits larger than two megabytes (approximately fifty pages) may be filed electronically in separate two-megabyte segments or may be submitted, bound, in conventional format. All bound documents submitted to the Clerk's Office should be two or three-hole punched. In any instance, the filing party must serve conventional copies on all other parties to the case.
10. The Clerk's Office shall not maintain a paper court file in any case begun after the effective date of these procedures except as otherwise provided in these procedures. The official court record shall be the electronic file maintained on the Court's servers. The official record shall include, however, any conventional documents or exhibits filed or maintained in accordance with these procedures.

B. SERVICE.

1. Whenever a pleading or other paper is filed electronically in accordance with these procedures, the System shall generate a "Notice of Electronic Filing" to the filing party and any other party who is a registered user and has requested electronic notice in that case.
2. If the recipient is a registered participant in the System, the System's e-mailing of the "Notice of Electronic Filing" shall be the equivalent of service of the pleading or other paper by first class mail, postage prepaid.
3. A certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party so entitled.
4. A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Civil Procedure. When mailing paper copies of documents that have been electronically filed, the filing party

may include the “Notice of Electronic Filing” to provide the recipient with proof of the filing.

5. The three-day rule of Federal Rule of Civil Procedure 6(e) for service by mail shall also apply to service by electronic means.

C. SIGNATURES.

1. Non-Attorney Signature, Generally. If the original document requires the signature of a non-attorney, *e.g.*, an affidavit, the filing party shall scan the original document in .pdf format, then electronically file it on the System.
 - a. The electronically filed document as it is maintained on the Court’s servers shall constitute the official version of that record.
 - b. A non-filing signatory or party who disputes the authenticity of an electronically filed document with a non-attorney signature or the authenticity of the signature on that document must file an objection to the document within ten days of receiving the Notice of Electronic Filing.
 - c. The filing party shall retain the original document for future production, if necessary, for two (2) years after the expiration of the time for filing a timely appeal of a final judgment or decree, or after receipt by the Clerk of Court of an order terminating the action on appeal.
2. Attorney Signature. A pleading or other document requiring an attorney’s signature shall be signed in the following manner, whether filed electronically or submitted on disk to the Clerk’s Office: “s/ (attorney name).” The correct format for an attorney signature is as follows:

s/ Judith Attorney
Judith Attorney Bar Number: 12345
Attorney for (Plaintiff/Defendant)
ABC Law Firm
123 South Street
Charlotte, North Carolina 28202
Telephone: (704) 123-4567
Fax: (704)123-4567

E-mail: judith_attorney@law.com

- a. Any party challenging the authenticity of an electronically filed document or the attorney's signature on that document must file an objection to the document within ten days of receiving the Notice of Electronic Filing.
3. Multiple Attorney Signatures. The following procedure applies when a stipulation or other document requires two or more signatures:
 - a. The filing attorney shall confirm (i) that the content of the document is acceptable to all persons required to sign the document and (ii) that all such persons have given their explicit consent for the filing attorney to affix their respective signatures as a "s/ (attorney name)" and to submit the document electronically.
 - b. The filing attorney then shall file the document electronically, indicating the signatories, *e.g.*, "s/ Jane Doe," "s/ John Smith," etc. A signature block shall be included for each signatory.
 - c. A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within ten days of receiving the Notice of Electronic Filing.
 - d. The filing attorney shall retain any record evidencing the assent of the non-filing signatories for future production, if necessary, for two (2) years after the expiration of the time for filing a timely appeal of a final judgment or decree, or after receipt by the Clerk of Court of an order terminating the action on appeal.
4. Non-Attorney Signatures on Documents in Criminal Cases.
 - a. Certain documents in criminal cases require the signature of a non-attorney – *i.e.*, grand jury foreperson, a defendant, a third-party custodian, a United States Marshal, an officer from Pretrial Services or Probation, or some other federal officer or agent. All such documents shall be filed conventionally, *i.e.*, in paper form.
 - b. Upon receipt of such document, the Clerk's Office will scan the paper

document, upload it to the System, and retain the paper document. The official court record shall be the electronic file maintained on the Court's servers.

- c. Documents containing personal data identifiers and/or confidential information shall be handled as described in II(I) of these procedures.

D. FEES PAYABLE TO THE CLERK. Any fee required for filing a pleading or paper in District Court is payable to the Clerk of the Court by credit/debit card, check, money order, or cash. The Clerk's Office will document the receipt of fees on the docket with a text-only entry. The Court will not maintain electronic billing or debit accounts for lawyers or law firms.

If the Clerk's Office receives a pleading or paper on one day and any required filing fee on another day, the pleading or paper will be deemed filed on the later of those dates.

E. ORDERS.

1. The Clerk's Office shall electronically file all signed orders. Any order signed electronically has the same force and effect as if the judge had affixed the judge's signature and seal to a paper copy of the order and it had been entered on the docket conventionally. A document shall not be considered entered on the docket for purposes of the Federal Rules of Civil Procedure until the System generates a Notice of Electronic Filing.
2. All proposed orders should be submitted using "CyberClerk." The proposed order must be in .rtf format ("Rich Text Format") or in a format compatible with the latest version of WordPerfect. Any proposed orders sent in other formats will be returned to the filer.
3. If a judge during a hearing enters an oral order, a text-only entry will be made upon the docket. In such cases, no .pdf document will issue; the text-only entry shall constitute the Court's only order on the matter. The System will generate a "Notice of Electronic Filing" as described in II(B)(1) of these procedures.
4. When mailing paper copies of an electronically filed order to a party who is not a registered participant of the System, the Clerk's Office will include the Notice of Electronic Filing to provide the non-participant with proof of the

filing.

5. The judge or the Clerk's Office, if appropriate, may grant routine orders by a text-only entry upon the docket. In such cases, no .pdf document will issue; the text-only entry shall constitute the Court's only order on the matter. The System will generate a "Notice of Electronic Filing" as described in II(B)(1) of these procedures.

F. TITLE OF DOCKET ENTRIES. The party electronically filing a pleading or other document shall be responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the Court.

G. CORRECTING DOCKET ENTRIES.

1. Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office. The System will not permit the filing party to make changes to the document(s) or docket entry filed in error once the transaction has been accepted.
2. A document incorrectly filed in a case may be the result of posting the wrong .pdf file to a docket entry, selecting the wrong document type from the menu, or entering the wrong case number and not catching the error before the transaction is completed. **The filing party should not attempt to refile the document.**
3. As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. If appropriate, the Court will make an entry indicating that the document was filed in error. The filing party will be advised *if* the document needs to be refiled.

H. TECHNICAL FAILURES. The Clerk's Office shall deem the Western District of North Carolina CM/ECF site to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. Eastern Time that day. Known systems outages will be posted on the web site, if possible.

1. If the Court's CM/ECF site experiences a technical failure, a filing party may submit documents to the Court that day in an alternate manner. The following methods are acceptable alternate means for filing documents in the

case of a technical failure:

- a. via e-mail using “CyberClerk” with the documents as an attachment in .pdf format;
 - b. in person, by bringing to the Clerk’s Office the documents in paper form or on a compact disk which contains the documents in .pdf format; or
 - c. in person, by bringing the documents in paper form or on a compact disk which contains the documents in .pdf format to the drop boxes which are located outside any of the federal courthouses in the Western District of North Carolina.
2. Problems on the filer’s end, such as phone line problems, problems with the filer’s Internet Service Provider (ISP), or hardware or software problems, will not constitute a technical failure under these procedures nor excuse an untimely filing. A filer who cannot file a document electronically because of a problem on the filer’s end may submit documents to the Court that day in an alternate manner provided that the documents are accompanied by the filing party’s affidavit explaining the reason for not filing the documents electronically. The following methods are acceptable alternate means for filing documents in the case of a problem on the filer’s end:
 - a. in person, by bringing the documents to the Clerk’s Office in paper form or on a compact disk which contains the document in .pdf format;
 - b. via fax. The filing party’s affidavit explaining the reason for not filing the documents electronically must accompany the documents; or
 - c. in person, by bringing the documents in paper form or on a compact disk which contains the documents in .pdf format to the drop boxes located outside any of the federal courthouses in the Western District of North Carolina .
3. A filing party whose filing is made untimely as the result of a technical failure of the Court’s CM/ECF’s site may seek appropriate relief from the Court. Filing parties are cautioned that, in some circumstances, the Court

lacks the authority to grant an extension of time (e.g., Rule 6(b) of the Federal Rules of Civil Procedure, Rule 4(b) of the Federal Rules of Criminal Procedure, and/or Rule 4 of the Federal Rules of Appellate Procedure).

I. PRIVACY.

1. Redacted Documents. To comply with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, Pub. L. No. 107-347, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, filing parties shall omit or, where inclusion is necessary, partially redact the following personal data identifiers from all pleadings, documents, and exhibits, whether filed electronically or on paper, unless the judge orders otherwise:
 - a. Minors' names: Use the minors' initials;
 - b. Financial account numbers: Identify the name or type of account and the financial institution where maintained, but use only the last four numbers of the account number;
 - c. Social Security numbers: Use only the last four numbers;
 - d. Dates of birth: Use only the year;
 - e. Home address: Disclose only the city and state; and
 - f. Other data as permitted by order of the Court.
2. Other Redactions. In addition, the filing party may omit or, where inclusion is necessary, partially redact the following confidential information from all pleadings, documents, and exhibits, whether filed electronically or on paper, unless the judge orders otherwise:
 - a. Personal identifying number, such as driver's license number;
 - b. Medical records, treatment, and diagnosis;
 - c. Employment history;
 - d. Individual financial information; and

- e. Proprietary or trade secret information.
3. Reference Lists. A party wishing to file a document containing the personal data identifiers listed above may file a redacted version of the document that shall be made available in the public file and a reference list that is filed under seal.
- a. The reference list shall contain the complete personal data identifier or identifiers and the corresponding redacted identifier or identifiers used in the redacted document. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier.
 - b. The reference list must be filed under seal and may be amended as of right.
 - c. The reference list shall be retained by the Court as part of the record but will not be available for public access.
4. The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The Clerk's Office will not review documents for compliance with this rule, seal on its own motion documents containing personal data identifiers, or redact documents, whether filed electronically or on paper.

III. CONVENTIONAL FILING OF DOCUMENTS. The following procedures govern documents filed conventionally. The Court, upon application, may also authorize conventional filing of other documents otherwise subject to these procedures.

- A. DOCUMENTS TO BE FILED UNDER SEAL.** A party must file conventionally a motion to file documents under seal and documents filed under seal. The Clerk's Office will then process the documents in accordance with the order of the assigned judge.
- B. PRO SE PARTIES.** Parties proceeding pro se shall file paper originals of all complaints, pleadings, motions, affidavits, briefs, and other documents which must be signed or which require either verification or an unsworn declaration under any rule or statute. The Clerk's Office will scan these original documents into an electronic file in the System, but will also maintain a paper file.

C. SOCIAL SECURITY CASES. Absent a showing of good cause, all documents, notices, and orders in Social Security reviews filed in the District Court after the System is implemented shall be filed and noticed electronically, except as noted below.

1. The complaint and other documents typically submitted at the time a Social Security case is filed initially will be filed and served according to II(A) of these procedures.
2. Social Security administrative records will be conventionally filed and served, because scanning that set of documents and filing or retrieving them electronically is impractical at this time. Because Social Security administrative records will not be scanned or otherwise placed into the System, the Clerk's Office will docket a text-only event stating that the administrative record is available in paper format at the Clerk's Office.
3. All other documents in the case, including briefs, will be filed and served electronically unless the Court otherwise orders.
4. Pursuant to General Order No. 3:05-MC-42, which entered a standard Protective Order in all Social Security cases filed in this district, access to all documents filed in a Social Security case will be limited to counsel and court staff. Docket sheets, however, will be available over the Internet to non-parties.

D. ERISA CASES. Absent a showing of good cause, all documents, notices, and orders in ERISA reviews filed in the District Court after the System is implemented shall be filed and noticed electronically, except as noted below.

1. The complaint and other documents typically submitted at the time an ERISA case is filed initially will be filed and served according to II(A) of these procedures.
2. ERISA administrative records will be conventionally filed and served, because scanning that set of documents and filing or retrieving them electronically is impractical at this time. Because ERISA administrative records will not be scanned or otherwise placed into the System, the Clerk's Office will docket a text-only event stating that the administrative record is available in paper format at the Clerk's Office.

3. All other documents in the case, including briefs, will be filed and served electronically unless the Court otherwise orders.
4. Pursuant to General Order No. 3:05-MC-42, which entered a standard Protective Order in all ERISA cases filed in this district, access to all documents filed in an ERISA case will be limited to counsel and court staff. Docket sheets, however, will be available over the Internet to non-parties.

E. OTHER DOCUMENTS FOR WHICH ELECTRONIC FILING IS IMPRACTICAL. A party shall conventionally submit paper originals of documents which are not available in electronic form or for which electronic imaging, *i.e.*, “scanning,” is impractical. Examples include, but are not limited to, state court records, maps and other non-document type exhibits.

D. TRANSCRIPTS OF PROCEEDINGS. Within twenty-one days of a proceeding of this Court during which a court reporter transcribes the proceeding, the transcript of such proceeding shall either be filed electronically using the System or submitted to the Clerk’s Office on a compact disc in .pdf format.

IV. EXHIBITS.

- A.** A party electronically submitting more than one exhibit to the Clerk’s Office shall also file electronically a separate index listing each exhibit then being filed and identifying the motion to which the index and the exhibits relate.
- B.** A party may conventionally submit exhibits which are not available in electronic form or which are too lengthy to image electronically, *i.e.*, to “scan.” Lengthy documents submitted to the Clerk’s Office in paper form should be bound with two or three-hole punches. The Clerk’s Office will note on the docket its receipt of the document(s) or exhibit(s) with a text-only entry.
- C.** If possible, however, a filing party should electronically image, *i.e.*, “scan,” a paper exhibit that is less than two megabytes (approximately fifty pages) and submit the exhibit as a .pdf file. Because .pdf files containing scanned documents take up considerably more space on the System than .pdf files containing electronically generated documents, filing parties may submit .pdf files containing scanned documents of more than two megabytes only if they are filed in separate two-megabyte segments.

- D.** Because documents scanned in color or containing a graphic take much longer to upload, filing parties must configure their scanners to scan documents at 200 dpi and in black and white rather than in color. Documents appearing in color in their original form, such as color photographs, may be scanned in color and then uploaded to the System.
- E.** The filing party is required to verify the readability of scanned documents before filing them electronically with the Court.
- F.** Exhibits submitted conventionally shall be served on other parties as if not subject to these procedures.

V. PUBLIC ACCESS TO THE SYSTEM DOCKET.

- A. PUBLIC ACCESS AT THE COURT.** Electronic access to the electronic docket and documents filed in the System is available for viewing to the public at no charge at the Clerk's Office during regular business hours. A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. § 1930.
- B. INTERNET ACCESS.** Remote electronic access to the System for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records ("PACER") system. The Judicial Conference of the United States has ruled that a user fee will be charged for remotely accessing certain detailed case information, such as filed documents and docket sheets in cases, but excluding review of calendars and similar general information.
- C. CONVENTIONAL COPIES AND CERTIFIED COPIES.** Conventional copies and certified copies of electronically filed documents may be purchased at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.